

RECEIVED
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Case No. 1:08-cv-02489-CM

Debtor.

Appellants,

MOTION TO ADMIT COUNSEL

PRO HAC VICE

Appellee.

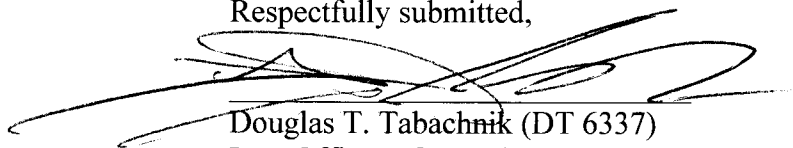
UNSEL

Sander L. Esserman is a member in good standing of the Bar of the State of Texas.

There are no pending disciplinary proceedings against Sander L. Esserman in any State or Federal Court.

Dated: April 22, 2008

Respectfully submitted,

A handwritten signature in black ink, appearing to read 'Douglas T. Tabachnik', is written over a horizontal line.

Douglas T. Tabachnik (DT 6337)
Law Offices of Douglas T.
Tabachnik, P.C.
Suite C
Woodhull House
63 West Main Street
Freehold, New Jersey 07728
(732) 792-2760

ATTORNEY FOR RAY AND
CATHY FLAKE

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK**

In re:

ALPER HOLDINGS USA, Inc.,

Debtor.

Case No. 1: 08-cv-02489-CM

RAY AND CATHY FLAKE,

Appellants,

v.

ALPER HOLDINGS USA, Inc.,

Appellee.

**DECLARATION OF DOUGLAS T.
TABACHNIK IN SUPPORT OF
MOTION FOR ADMISSION *PRO HAC*
VICE OF SANDER L. ESSERMAN**

I, Douglas T. Tabachnik, hereby declare pursuant to 28 U.S.C. § 1746 as follows:

1. I am a member in good standing of the bar of the State of New York, and was admitted to practice in 1981. I was admitted to the bar of the United States District Court for the Southern District of New York in 1982, and am in good standing with this Court. I respectfully submit this affirmation in support of the motion pursuant to Local Civil Rule 1.3(c) of this Court for the admission *pro hac vice* of Sander L. Esserman, shareholder of the Dallas, Texas law firm of Stutzman, Bromberg, Esserman & Plifka, a Professional Corporation.

2. Mr. Esserman has been admitted to practice law in the State of Texas, and in the Northern District of Texas, and in the United States Court of Appeals for the Third

and Fifth Circuits. Mr. Esserman is and has always been a member in good standing of the bars of the jurisdictions and courts in which he is admitted to practice. I have known Mr. Esserman since June of 2004 and believe him to be of high moral character and extremely competent in the practice of law.

3. Mr. Esserman's Certificate of Good Standing of the State of Texas bar is attached hereto as **Exhibit A**.

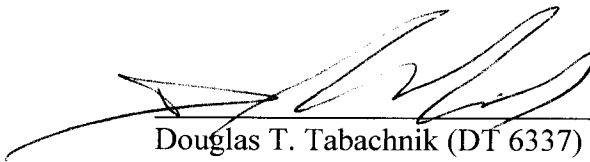
4. I further affirm that I am fully familiar with the facts of this case and will assist Mr. Esserman in the preparation of this case.

5. I respectfully submit a proposed order which is annexed hereto as **Exhibit B**.

WHEREFORE, I respectfully request that the Court admit Sander L. Esserman, to appear and to participate in all further proceedings in this case on behalf of Ray and Cathy Flake.

Dated: April 16, 2008.

Respectfully submitted,

A handwritten signature in black ink, appearing to read 'Douglas T. Tabachnik', is written over a horizontal line.

Douglas T. Tabachnik (DT 6337)
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**ATTORNEY FOR RAY AND
CATHY FLAKE**

STATE BAR OF TEXAS



Office of The Chief Disciplinary Counsel

April 07, 2008

RE: **Mr. Sander L. Esserman**
State Bar Number - **06671500**

To Whom it May Concern:

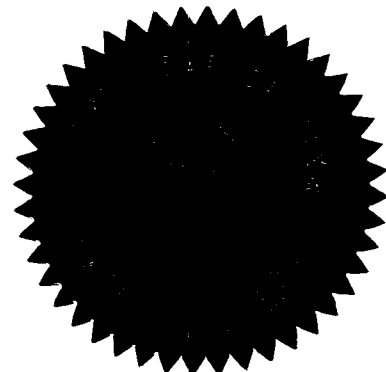
This is to certify that Mr. Sander L. Esserman was licensed to practice law in Texas on November 01, 1976 and is an active member in good standing with the State Bar of Texas.

Good Standing means that the attorney is current on payment of Bar dues and attorney occupation tax; has met Minimum Continuing Legal Education requirements; and is not presently under either administrative or disciplinary suspension.

No disciplinary action involving professional misconduct has been taken against the attorney's law license. This certification expires 30 days from this date, unless sooner revoked or rendered invalid by operation of rule or law.

John A. Neal
Chief Disciplinary Counsel

JN/dh



**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK**

In re:

ALPER HOLDINGS USA, Inc.,

Debtor.

Case No. 1: 08-cv-02489-CM

RAY AND CATHY FLAKE,

Appellants,

v.

ALPER HOLDINGS USA, Inc.,

Appellee.

**ORDER FOR ADMISSION
PRO HAC VICE
ON WRITTEN MOTION**

Upon the motion of Douglas T. Tabachnik, attorney for Ray and Cathy Flake and said sponsor attorney's affidavit in support;

IT IS HEREBY ORDERED that

Sander L. Esserman, Esq.
Stutzman, Bromeberg, Esserman, & Plifka
A Professional Corporation
2323 Bryan Street, Suite 2200
Dallas, Texas 75201
Tel: (214) 969-4900
Fax: (214) 969-4999
taylor@sbep-law.com

is admitted to practice *pro hac vice* as counsel for Ray and Cathy Flake in the above captioned case in the United States District Court for the Southern District of New York.

All attorneys appearing before this Court are subject to the Local Rules of this court,

including the Rules governing discipline of attorneys. If this action is assigned to the Electronic Case Filing (ECF) system, counsel shall immediately apply for an ECF password at nysd.uscourts.gov. Counsel shall forward the *pro hac vice* fee to the Clerk of Court.

Dated: New York, New York
April ____, 2008

COLLEEN MCMAHON,
UNITED STATES DISTRICT JUDGE

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

In re)	
)	08-cv-02489-CM
)	
ALPER HOLDINGS USA, Inc.,)	
)	
Debtor,)	
)	
RAY AND CATHY FLAKE,)	
)	
Appellants.)	

CERTIFICATE OF SERVICE

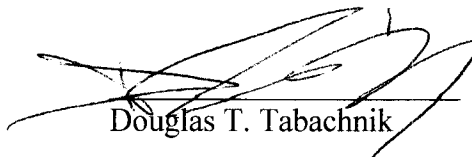
The undersigned hereby certifies that he caused a true and correct copy of (1) the Motion for Admission *Pro Hac Vice* of Cliff I. Taylor and (2) the Motion for Admission *Pro Hac Vice* of Sander L. Esserman to be served upon the persons identified below via First Class Mail, postage pre-paid on the 22nd day of April, 2008.

Luc A. Despins
Milbank, Tweed, Hadley & McCloy LLP
1 Chase Manhattan Plaza
New York, New York 10005

Jessica L. Fink
Milbank, Tweed, Hadley & McCloy LLP
1 Chase Manhattan Plaza
New York, New York 10005

Andrew M. Leblanc
Milbank, Tweed, Hadley & McCloy LLP
Suite 1100
International Square Building
1850 K Street, N.W.
Washington, DC 20006

Dated: April 22, 2008


Douglas T. Tabachnik